

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
February 1, 2010

CASE NO.	V2010-0001
APPLICANT:	Willie & Lorraine Cuyler
REPRESENTATIVE:	N/A
REQUESTED ACTION:	Variance of 5' to allow 20' setback vs 25' setback
LEGAL DESCRIPTION:	Section 6, Township 19 S, Range 23 E – That part of the NE ¼ of SW ¼ of SW ¼ lying east and south of High Street/CR 242
EXISTING ZONING:	RR
EXISTING USE:	Residence
PARCEL SIZE:	0.27 acres
GENERAL LOCATION:	Wildwood
SURROUNDING LAND USE:	SURROUNDING ZONING:
NORTH: Low Density Residential	NORTH: A5 = residence
SOUTH: Low Density Residential	SOUTH: RR1 = residence
EAST: City of Wildwood	EAST: City of Wildwood
WEST: Low Density Residential	WEST: RR = residence

CASE SUMMARY:

The subject property is located on CR 242/High Street in the Wildwood area of unincorporated Sumter County. The subject property is developed with a small single-family conventional construction home (704 square feet) in 1981. The property owners plan to construct a 352 square foot addition to an existing single-family home. The proposed addition is planned to be placed on the north side of the existing single-family home. The required setback from CR 242/High Street is 25 feet. However, due to the atypical lot configuration the closest point of the planned addition is approximately 20 feet from CR 242/High Street. See attached site plan.

CASE ANALYSIS:

The Zoning & Adjustment Board (ZAB) must make all of the following findings to grant the variance [Section 13-237(c)(1) Land Development Code]. Staff's analysis of each of the findings required for the issuance of a variance by the ZAB is provided in italic type following each finding:

Due to conditions beyond the control of the applicant, strict or literal enforcement of the Land Development Code results in practical difficulties or unnecessary or undue hardships;

The applicant's property configuration is atypical of other existing properties within the surrounding area. The curvature of CR 242/High Street reduces the area available for the setback. In addition, the lot is has several trees to the south, east, and west of the existing home that limits the ability to place the addition. See attached aerial.

No reasonable use of the property unless the variance is granted;

The existing single-family home on the subject property is very small (704 square feet). The addition to the home will provide additional living area to bring the home better in line with current standards for the size of a single-family home.

Hardship is unique and not shared by other properties;

The need for the variance is unique to the subject property and not shared by other properties.

Hardship is related to the land, building or structure and not personal circumstances;

The need for the variance is due to the atypical configuration of the subject property..

Hardship not the result of the applicant's own actions;

The need for the variance is due to the atypical configuration of the subject property..

Variance is the minimum variance needed for reasonable use of the land, building or structure;

The applicant is requesting a 5 foot variance to the required 25 foot setback to allow a 20 foot setback from CR 242/High Street. The requested variance is based on the actual construction plan of the home addition. The addition is not excessive in size.

Variance will not be detrimental to the public welfare;

The variance will not cause any negative impact to the public welfare. The variance does not encroach into any easements nor does it result in any impacts to the developability of the adjacent property.

Variance will not result in the extension of a non-conforming situation nor authorize the non-conforming use of land;

This variance request is not related to the extension of a non-conforming situation nor does it authorize the non-conforming use of land.

Variance will not permit a use prohibited by the Land Development Code;

This variance does not permit a use prohibited by the Land Development Code.

Surrounding non-conforming lands, buildings or structures can not be considered in the approval of the variance; and

Surrounding non-conforming lands, buildings or structures were not considered in the review of the variance

Financial hardship is not justification for a variance.

If the variance is not granted by the ZAB, the applicant will incur costs to re-design the addition.. However, the financial impact can not be used as a justification for the variance.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff deemed the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval of the variance.

Notices Sent: 9 (In objection) 0 (In favor) 4

Zoning & Adjustment Board Secretary: _____





SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: **V2010-0001**

Application: 1/19/2010 SMC

VARIANCE

PROJECT TYPE VARIANCE		PROJECT SUBTYPE		PROJECT DESCRIPTION VARIANCE TO ALLOW LESSER SETBACK	
OWNER CUYLER, WILLIE J & LORRAINE		ADDRESS 7153 CR 242, WILDWOOD, FL 34785		PHONE (352) 330-0786	
PARCEL # G06=137	SEC/TWP/RNG 61923	GENERAL WILDWOOD		DIRECTIONS TO PROPERTY N ON US 301. W ON SR 44. N ON CR 213. E ON CR 238. N ON CR 242. PROPERTY ON THE E SIDE OF THE ROAD AT CURVE FOR HIGH STREET.	
Property Address 7153 CR 242, Wildwood, FL 34785				LEGAL DESCRIPTION THAT PART OF NE 1/4 OF SW 1/4 OF SW 1/4 LYING E AND S OF HIGH STREET	
PARCEL SIZE 0.27 ACRES MOL		F.L.U. LDR			
PRESENT ZONING RR		PRESENT USE RES			
REQUESTED USE VARIANCE TO ALLOW A LESSER SETBACK		ACREAGE TO BE UTILIZED 0.27		LEGAL DESCRIPTION TO BE UTILIZED SAME AS ABOVE	
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH NON-COMPLIANT A5/RE: LDR	EAST CITY OF WILDWOOD CITY OF WILDWOOD	SOUTH RR1/RES & APTS LDR	WEST RR/MHS LDR	

As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.

FEES	Amount	Payment
Ad & Notice	25.00	C 1005
Dev Review: Variances	250.00	C 1005
Recording Fees	0.00	
TOTAL	\$275.00	

UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Willie Cuyler Lorraine & Cuyler
Signature(s)

January 19, 2010

Date

A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

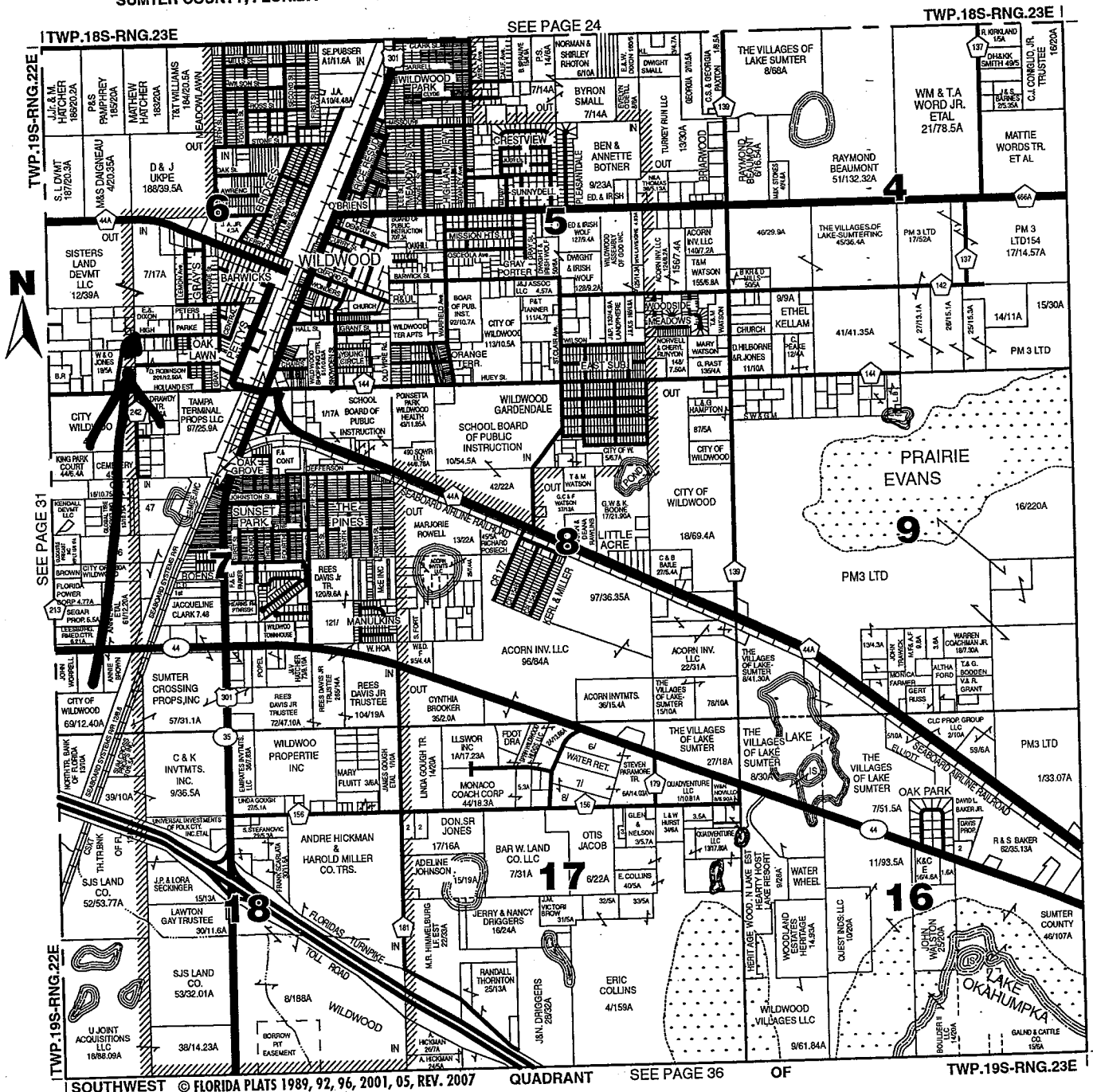
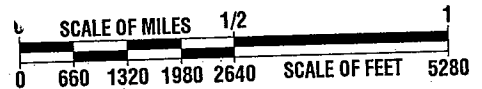
Zoning and Adjustment Board 2/1/2010 6:30 PM Room: 142 Action: _____

NOTICES SENT 9 RECEIVED IN FAVOR 4 RECEIVED OBJECTING 0

Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.

[illegible]

NORTHWEST QUADRANT
SUMTER COUNTY, FLORIDA



V2010-0001
Cuyler, Willie & Lorraine
Sec. 6, Twp. 19S, Rng. 23E

Board of Sumter County Commissioners

Division of Planning & Development

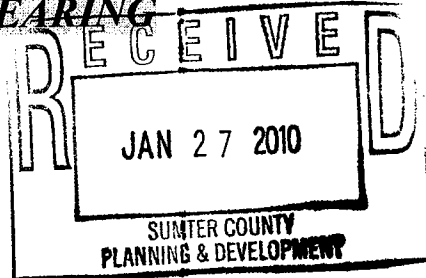
Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

NOTICE OF PUBLIC HEARING

January 19, 2010

JONES PEGGY A TRUSTEE
PO BOX 1181
WILDWOOD, FL 34785



To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of Willie & Lorraine Cuyler. This property is being considered at a public hearing for a Variance.

CASE# V2010-0001 REQUESTED ACTION: Variance to allow lesser setbacks for an addition to the existing residence.

A public hearing before the Zoning and Adjustment Board will be held at **Colony Cottage Recreation Center, Parlor Room, 510 Colony Blvd, The Villages, Florida 32162** on **Monday, February 1, 2010** at **6:30 p.m.**

The property is located as follows: Wildwood area: The property is located on CR 242 on the east side of the road at the curve where the street changes to High Street.

Written comments submitted will be heard. Hearings may be continued from time to time as found necessary. Please return this form to: SUMTER COUNTY PLANNING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida 33513. Questions should be directed to the Planning Department at (352)793-0270.



I approve of the above.

I do not approve of the above for the following reason(s): _____

Please return no later than **ASAP.**

RE: CASE# **V2010-0001**

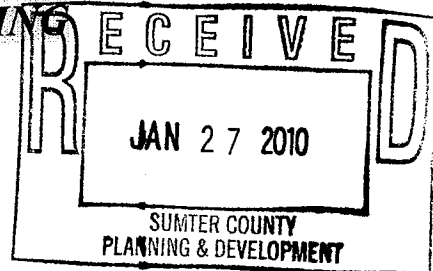
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Division of Planning & Development

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NOTICE OF PUBLIC HEARING



January 19, 2010

GREENE ELLEN H % DARLEAN MILNER
15742 NW 37TH PL
OPA LOCKA, FL 33054

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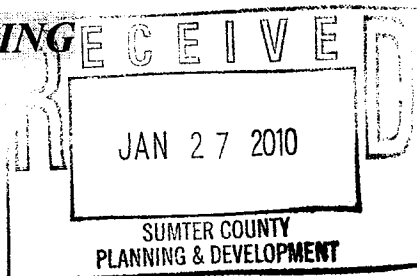
Board of Sumter County Commissioners

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NOTICE OF PUBLIC HEARING



January 19, 2010

COLBERT VICKIE
6103 61ST WAY
WEST PALM BCH, FL 33409

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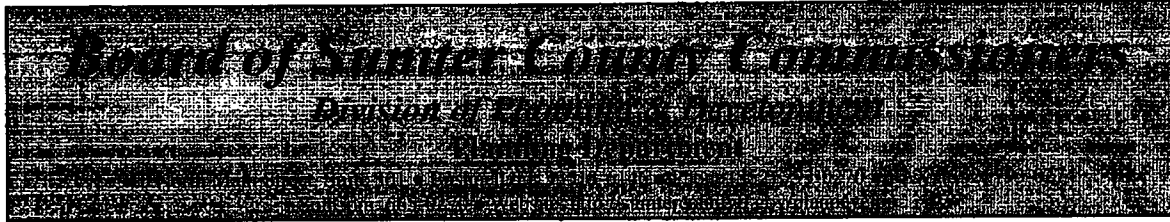
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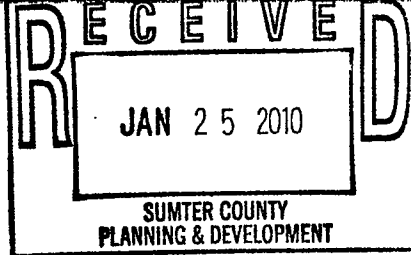
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RE: CASE# V2010-0001



RECEIVED



January 19, 2010

DIXON ELLIOTT & WINNIE
PO BOX 1330
WILDWOOD, FL 34785

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